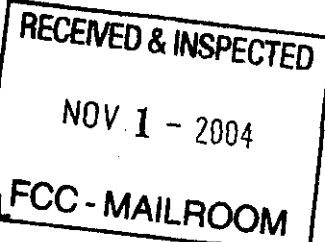


In the Matter of Notice of Proposed)
Rulemaking – Emergency Alert System)
FCC 04-189.)

EB Docket No: 04-296)

DOCKET FILE COPY ORIGINAL



**COMMENTS TO PROPOSED RULEMAKING REGARDING
EMERGENCY ALERT SYSTEM**

October 28, 2004

I, Marcos O'Rourke, as chairman of the Orange County Local Emergency Communication Committee, am authorized and do hereby submit these comments and requests relative to the above-referenced rulemaking:

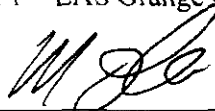
1. The proposed rule provides that EAS messages be broadcasted in the "native" language of the community in which the broadcast is heard. We believe that the type of language used to broadcast EAS messages should be left up to the local EAS communities since they are in a better position to evaluate which language best reaches their listeners as opposed to the Federal Government. This method would be more flexible and responsive than waiting for a federal directive for a given community and allows language changes or using multiple languages if required, which would be first known at the local level. Since the purpose of the message to communicate a matter of great urgency, the appropriate language is critical for that given community.
2. The local station is the best party responsible for translating the EAS message (communicated in English) for broadcast as it, likely, will have airtime voices more familiar with the language used as opposed to the LP1 EAS station that first issues the message.
3. Our local committee should be able to decide what local messages/events that the stations must carry since the local committee knows its community best. For example, there would be no reason to air an EAS avalanche warning or a levy bursting warning when the Southern California area does not experience these types of emergencies. As an alternative, maybe the federal government can establish certain EAS events that can occur locally that are common on a national level, which essentially has already been done.
4. There is a requirement now that when an EAS message comes across from a cable service provider, it must notify the listener/viewer that a EAS message has been issued for a certain county and direct that person to a particular channel for more information and details. There is no way for the EAS LP1 to insure that a given message will be issued and placed on the detail channel, particularly if it occurs during "graveyard" or weekend programming. Therefore, this requirement should be removed since it cannot be insured to occur, particularly by the LP1. If this is to be the requirement, then the FCC should also provide a means or method to insure that the message will get on the detail channel provider, whether by licensing penalties, sanctions, etc.

cc: of Copies rec'd
10/28/04

Respectfully submitted,

KWVE 107.9

LP1 – EAS Orange County, California

A handwritten signature in black ink, appearing to read 'M O'Rourke', positioned above a horizontal line.

Marcos O'Rourke, Chair, Orange County
Local Emergency Communication Committee